



# **GALVESTON COUNTY, TEXAS**

**COMMISSIONERS COURT** 722 Moody, County Courthouse, Galveston, TX 77550 (409) 766-2244

Mark Henry      Ryan Dennard      Joe Giusti      Stephen Holmes      Ken Clark  
County Judge    Commissioner, Precinct 1    Commissioner, Precinct 2    Commissioner, Precinct 3    Commissioner, Precinct 4

## **AGENDA**

**August 30, 2016 – 1:30 PM**

**CONSENT AGENDA:** ALL ITEMS MARKED WITH A SINGLE ASTERISK (\*) ARE PART OF THE CONSENT AGENDA AND REQUIRE NO DELIBERATION BY THE COMMISSIONERS COURT. ANY COMMISSIONERS COURT MEMBER MAY REMOVE AN ITEM FROM THIS AGENDA TO BE CONSIDERED SEPARATELY.

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three (3) days prior to any proceeding contact the County Judge's office at 722 Moody, Galveston, Texas 77550 (409) 766-2244.

## **REGULARLY SCHEDULED MEETING**

### **Call to Order**

### **Invocation and Pledge of Allegiance**

### **Consent Agenda**

- \*1. Submitted by the Auditor's Office:
  - a. Approval of the Accounts Payable Checks dated 8/23/16 and 8/30/16
  - b. Order for Payroll period ending 8/24/16 Bi-Weekly #18
  - c. Order for Supplemental Payroll period ending 8/24/16 Bi-Weekly #18
  - d. Early checks release dated 8/10 & 8/18/16
  - e. Internal Audit report of cash count and inventory of Constable, Precinct 4A-League City
  - f. Internal Audit report of the FY2016 County Clerk Fee Audit for period of 6/1/15 - 5/31/16 with response letter from Honorable Dwight D. Sullivan, County Clerk dated 8/17/16
  - g. Internal Audit report of the inventory of fixed assets of the Road and Bridge dept. with response letter from Lee Crowder Road Administrator

- \*2. Receive and file *Refund Check List from Odyssey* submitted by the County Clerk.
- \*3. Receive and file *Refund Check List from Odyssey* submitted by the District Clerk.
- \*4. Receive and file *Restitution Check List from Odyssey* by Collections Improvement Program.
- \*5. Receive and file *Summary of Biweekly Personnel Movements pay period #17, July 28-August 10, 2016* submitted by Human Resources.
- \*6. Consideration of *execution of Temporary Staffing Agreement with AI Best Staffing* submitted by Human Resources on behalf of Veterans Services.
- \*7. Receive and file *notice pursuant to H.B. 3059, Section 366.005 of Texas-New Mexico Power Company providing utility service to Galveston County* submitted by the County Judge.
- \*8. Consideration of a *resolution honoring the retirement of Tracey Williams from the District Clerk's Office* submitted by County Legal.
- \*9. Consideration of *approval to Remove Gum Bayou Tributary Detention Pond Project from the Project Worksheet #15158 Project List with the Federal Emergency Management Agency (FEMA)* as submitted by the Grants Manager.
- \*10. Consideration of *approval to add Galveston County Medical Examiner's Facility Rebuild Project under Project Worksheet #15158 with the Federal Emergency Management Agency (FEMA)* as submitted by the Grants Manager.
- \*11. Consideration of *acceptance for the FY 2016 Justice Administration Grant Allocation (JAG) Award and authorize County Judge to sign required documents* as submitted by the Grants Manager.
- \*12. Consideration of *approval for the FY 2016/2017 Interlocal Agreement with the City of La Marque regarding their participation in the Galveston County Auto Crimes Task Force and authorize the County Judge to sign the agreement* as submitted by the Grants Manager.
- \*13. Consideration of *approval for the FY 2016/2017 Interlocal Agreement with the City of Hitchcock regarding their participation in the Galveston County Auto Crimes Task Force and authorize the County Judge to sign the agreement* as submitted by the Grants Manager.
- \*14. Consideration of *approval for the FY 2016/2017 Interlocal Agreement with the City of Galveston regarding their participation in the Galveston County Auto Crimes Task Force and authorize County Judge to sign the agreement* as submitted by the Grants Manager.

- \*15. Consideration of *approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) for U.S.M.C. Toys for Tots for the use of the parking lot closest to the indoor pavilion at Walter Hall for a motorcycle toy run on Saturday, December 10, 2016 & Saturday, December 9, 2017* submitted by Parks & Cultural Services.
- \*16. Consideration of *acceptance of a donation of two benches from Keep Bolivar Beautiful to be placed at the Noble Carl playground* submitted by Parks & Cultural Services.
- \*17. Receive and file *application from Bolivar Unlimited LLC for a sand pit permit on Bolivar Peninsula and authorize the County Engineer to run the required newspaper notice* submitted by the County Engineer.
- \*18. Consideration of *execution of an Encroachment Agreement between the County of Galveston and Selective Property Inc. permitting a partial encroachment of a covered wooden deck located on what is now as 109 17th Street in Land Leon Townsite Abstract 10A Edwards Lot 19, Galveston County, Texas* submitted by the Right of Way Department.
- \*19. Consideration of *appointments of the members of the Early Voting Ballot Board and Central Counting Station for the November 8, 2016 General Election* submitted by County Clerk.
- \*20. Consideration of *approval for annual Data Domain hardware maintenance renewal with SCW* submitted by Information Technology.
- \*21. Consideration of *approval for monthly OneSolution remote service processing maintenance with SunGard Public Sector* submitted by Information Technology.
- \*22. Request for *Ratification of Denial of Request for Waiver or Refund of Penalty and Interest as recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:
 

|    |                |                     |      |              |
|----|----------------|---------------------|------|--------------|
| a. | <b>R290208</b> | Dreyspring, Deborah | 2015 | \$286.01 (R) |
|    | <b>R107215</b> | Lausen, Scott       | 2015 | \$184.31 (R) |
- \*23. Consideration for *authorization to extend the contracts on the following RFPs* submitted by the Purchasing Agent:
  - a. RFP #B132011 Grounds Maintenance for Galveston County
  - b. RFP #B152011 Alarm Services
- \*24. Consideration for *authorization to Dispose of Salvage or Surplus Property* submitted by the Purchasing Agent.

- \*25. Receive and file *the first and only extension for RFP #B142015 Substance Abuse Treatment Services for the Galveston County Adult Probation Department* submitted by the Purchasing Agent.
- \*26. Consideration for *authorization for a price increase on the following RFP* submitted by the Purchasing Agent:
  - a. RFP #B132013 Food Service for the Galveston County Jail
- \*27. Receive and file *FY2017 approved Purchasing Agent Budget* submitted by the Purchasing Agent.
- \*28. Consideration of *sole source exemption for Safe Boats International for the purchase of a safe boat 31' 4", foam stabilized watercraft for the Sheriff's Office Marine Division* submitted by the Purchasing Agent.
- \*29. Consideration for *authorization to utilize Ecoxstream, LLC (a cooperative purchasing program participant) for small construction jobs requested by the Facilities Department* submitted by the Purchasing Agent.
- \*30. Consideration of *approval of the following budget amendments* submitted by Professional Services:
  - a. 16-156-0830-A  
**Information Technology** - Request transfer from General Fund IT - Technology Hardware account to County Capital Projects Fund DR Storage for Technology Hardware
  - b. 16-157-0830-B  
**Human Resources** - Request transfer from General Fund Budgeted Reserves to Human Resources Contract Services for a temporary employee in the Treasurer's Office
  - c. 16-158-0830-C  
**Human Resources** - Request transfer from General Fund Budgeted Reserves to Human Resources Contract Services for a temporary employee in the Veteran's Services
- \*31. Consideration of *approval of Funding Parameters, Interlocal Cooperation Agreement and Memorandum of Understanding for operation of the Galveston County Juvenile Justice Alternative Education Program for the 2016-2017 School Year, and authorization for County Judge to execute said Interlocal Cooperation Agreement and Memorandum of Understanding* submitted by Juvenile Justice.

- \*32. Consideration of *granting authority to County Judge to sign Trustee's Deed on the following tax foreclosed property* submitted by the County Judge:

a. **CAD#: 3587-0020-0055-000**

### **Action Agenda**

33. **County Clerk**

- a. Consideration of Approval of a subscription to EasyVote Solutions for Election Management software using funds from the Elections Services Fund.

34. **District Clerk**

- a. Consideration of approving FY15/16 State Case Registry and Local Customer Service Cooperative Agreement between the Office of the Attorney General of the State of Texas and Galveston County, Texas submitted by County Legal on behalf of the District Clerk.

35. **Human Resources**

- a. Consideration and approval of the "2016-2017 Options for Consideration" in relation to the Galveston County Employee Health Plan and Galveston County Government Employees Healthcare Centers (managed by CareHere).

36. **Information Technology**

- a. Consideration of approval for EMC Isilon X210 to increase data, server, and file storage for employees and departments of the County with Unique Digital.

37. **Professional Services**

- a. Consideration of resolution of adopting Optional Health Care Services allowed and providing Public Notice of Galveston County Indigent Health Care Services for Fiscal Year 2016-2017, submitted by Jim Gentile, Contract Services Officer.

38. **County Legal**

- a. **Break into Executive Session:**
- b. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional-

Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to proposed settlement of the City of Galveston for property damage on May 12, 2015 at Menard and 55th Street.

- c. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 3:16-CV-00065, Diane Jacobs, et. al. v. Henry Trochesset, et. al. in the U.S. District Court for the Southern District of Texas, Galveston Division.
- d. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 3:14-CV-00186, Tomasa Duran v. Galveston County, in the U.S. District Court for the Southern District of Texas, Galveston Division.
- e. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 14-CV-1289, Bonnie Quiroga v. Galveston County, in the 212th Judicial District Court.
- f. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to Cause No. 15-0993, Hon. Mark Henry, v. Hon. Lonnie Cox, in the Supreme Court of Texas.
- g. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as-

permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to claims on performance bonds in County's Severe Repetitive Loss Elevation Program, including but not limited to completion of the project at 1653 Dick Bay, San Leon, Texas.

- h. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to the Severe Repetitive Loss Elevation Project at 1525 103rd Street, Galveston, Texas.
- i. **Executive Session:** Texas Government Code, Section 551.074, Personnel Matters. The Commissioners Court will enter into executive session as permitted under the Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.074 of the Texas Government Code, Personnel Matters: to deliberate the appointment, employment, evaluation, reassignment, duties, discipline , or dismissal of a public officer or employee, the Director of Personal Bond Office/Director of Collections.
- j. **Reconvene into Regularly Scheduled Meeting.**
- k. Consideration of First Amendment and/or Addendum to the Tender Agreement that was executed on June 21, 2016 for the Severe Repetitive Loss Elevation project at 1653 Dick Bay, San Leon, Texas.
- l. Consideration of approval of proposed settlement of the City of Galveston for an incident at 5528 Menard/55th Street, Galveston County, on May 12, 2015.
- m. Consideration of accepting a Warranty Gift Deed from Bayshore Youth Sports Association and authorizing the County Judge to execute all necessary documents.
- n. Consideration of approval of Data Use Agreement between the Texas Health and Human Services Enterprise, Houston-Galveston Area Council and Galveston County.

**Adjourn**

## **WORKSHOP AGENDA**

1. Discussion of 64 acre park access road and N16 drainage ditch presented by the Parks & Cultural Services Department.
2. Discussion of volunteer control program for the Bayshore communities
3. Discuss FY17 property insurance submitted by Facilities
4. Budget workshop discussion

### **Appearances before Commissioners Court**

A speaker whose subject matter as submitted relates to an identifiable item of business on this agenda will be requested by the County Judge or other presiding court members to come to the podium where they will be limited to three minutes (3). A speaker whose subject matter as submitted does not relate to an identifiable item of business on this agenda will be limited to three minutes (3) and will be allowed to speak before the meeting is adjourned. Please arrive prior to the meeting and sign in with the County Clerk.

### **Executive Sessions**

The Galveston County Commissioners Court may recess into closed meeting (Executive Session) on any item listed on this agenda if the Executive Session is authorized under the Open Meetings Act pursuant to one or more the following exceptions: Tex. Gov't Code §§ 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding a prospective gift or donation), 551.074 (personnel matters), 551.0745 (personnel matters affecting County advisory body), 551.076 (deliberation regarding security devices or security audits), and/or 551.087 (deliberations regarding economic development negotiations). The Presiding Officer of the Commissioners Court shall announce the basis for the Executive Session prior to recessing into Executive Session. However, the Commissioners Court may only enter into the Executive Session on any agenda item for which a separate Executive Session has not been separately posted if, prior to conducting the Executive Session, a majority of the Commissioners Court votes to go into Executive Session. This motion requirement does not apply to any agenda item that has been previously noticed to constitute or include an Executive Session.

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